

Falu's sentence was not based on a guideline that the Sentencing Commission has lowered, but instead, was based on a statutory mandatory minimum sentence. Accordingly, the Court is not authorized to make a further sentence reduction. *Id.* at 460; *see also United States v. Torres*, 391 F. App'x 903, 905 (2d Cir. 2010); *United States v. Williams*, 551 F.3d 182, 185 (2d Cir. 2009) ("Once the mandatory minimum applied, [the defendant's] sentence was no longer 'based on a sentencing range that has subsequently been lowered by the Sentencing Commission.'" (quoting 18 U.S.C., § 3582(c)(2))).

The motion for a sentence reduction is therefore DENIED.

The Clerk of the Court is directed to terminate the motions at Docket Number 28.

SO ORDERED.

Dated: March 29, 2016
New York, New York



J. PAUL OETKEN
United States District Judge

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